

# RETURN

(118)

## REPRESENTATION IN THE HOUSE OF COMMONS OF CANADA.

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### SPECIAL CLAIM ON BEHALF OF PRINCE EDWARD ISLAND.

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#### GENERAL STATEMENT.

When this province entered Confederation, it was allowed six representatives, though on a basis of population it would only have obtained five.

On the redistribution following the census of 1881 no reduction was made, although it had still but five units of representation.

After the census of 1891 representation was reduced to five.

After the census of 1901 it was reduced to four.

If the same principle is applied, the next redistribution Bill will reduce its representation to three.

It is claimed that according to the spirit of the terms upon which Prince Edward Island entered Confederation, the original number of its representatives should not be decreased, and that in order to carry out the true compact, that number should be restored.

First Confederation Conference was held in Charlottetown, September, 1864; adjourned meeting held in Quebec, October, 1864.

Prince Edward Island refused to enter the Union unless six representatives were conceded.

The following extracts from the speeches of the Island delegates at the Quebec Conference show definitely their reasons for standing out:—

Mr. HAVILAND:

‘Prince Edward Island would rather be out of the Confederation than consent to this motion. We would have no status, only five members out of one hundred and ninety-four would give the Island no position.’

Mr. PALMER:

‘Representation by population is not applicable when a certain number of provinces are throwing up their self-government and individuality. When a colony surrenders that right she should have something commensurate in the Confederation. Why give up so great certainties where we have only a feeble voice. I never understood that any proposition at Charlottetown was to be binding as to representation by population.’

Colonel GREY:

‘I am instructed by my co-delegate to say that the provision of five members is unsatisfactory.’



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At the following session of the Legislature of Prince Edward Island, held in 1865, the Quebec Resolutions were discussed. These Resolutions provided:—

‘17. The basis of representation in the House of Commons shall be population, as determined by the official census every ten years; and the number of members at first shall be 194, distributed as follows:—

Upper Canada.. . . .	82
Lower Canada.. . . .	65
Nova Scotia.. . . .	19
New Brunswick.. . . .	15
Newfoundland.. . . .	8
Prince Edward Island.. . . .	5

Hon. J. C. POPE, Prime Minister, afterwards Minister of Marine, said:

‘If the relative circumstances of Canada and this Island should render a Union practicable, the evident injustice of the terms agreed to by the Quebec Conference would prevent their being ratified by the Legislature of this Island. Without admitting the principle of representation according to population under all circumstances to be sound, it is, in the opinion of this House, particularly objectionable as applied to this Island in connection with Canada, taking into consideration that the number of our inhabitants is, and must continue comparatively small, owing to the fact that we have no Crown lands, mines, minerals, or other resources sufficient to induce immigrants to settle here, and that we never can expect to become to any extent a manufacturing people in consequence of our navigation being closed for nearly half the year, and all trade and communication with other countries stopped.’

And later, in the same debate, Mr. POPE is reported thus:

‘Among these objections I may mention the principle of representation by population. A very simple calculation will show that the adoption of this as a standard would entitle the city of London to send to the British House of Commons no less than seventy representatives, and the city of Montreal in the Confederate Parliament would have a representation greater than that of this Island. Its statistics warrant the belief that in a few years the population will be so increased by the influx of the tide of immigration that the Island would lose in the halls of legislation even the small voice which she might raise at her entrance into the Union.’ (Debates P.E.I. Legislature, 1865, p. 45, *et seq.*)

Hon. Mr. HENSLEY:

‘The terms of the report before us are, in my opinion, very unfavourable to this Island. On the scale of representation proposed, we would be without the slightest influence in the United Parliament. It is true that, if we went into the proposed Union, we would have no right to expect as large a number of representatives as either of the Lower provinces, but then why should we throw away the independence which we now enjoy?’ (Debates P.E.I. Legislature, 1865, p. 50 *et seq.*)

Mr. HOWLAN:

‘Representation by population might be very well for Canada herself, but in a general Union of the Colonies, it would operate injuriously for the Maritime Provinces, as they could not expect to protect their interests when they would have to contend with 100 of a clear majority over their own representation. This principle would give the city of Montreal, with its 10,000 inhabitants, one representative more than this Island. Quite different is the representation of Great Britain, for while London has about the same population as Scotland, that city has only 16 members in the House of Commons, while Scotland has 53. But it may be argued that as our



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population increases our representation will increase. This is very doubtful. Indeed, under the operation of the 20th and 21st clauses of the Report it seems probable that we might lose our representation altogether. Lower Canada is always to have 65 members, and the representation of the other Colonies is to be arranged every ten years so as to give each the same ratio to population as she will then possess. Now, should the population of Lower Canada increase more rapidly than that of this Island, which is almost certain to be the case, our representation would decrease, and we would be left perhaps without a member at all.

Mr. DUNCAN:

‘As to the General Legislature I consider the representation in it allowed to this Island unfair and unjust. The five representatives allotted to us in the Lower House would not give the colony much influence there; but as our population will not increase so rapidly as that of Canada, there is a prospect, through the operation of one clause in the report, that our five representatives would dwindle down to three. Taking all these points into consideration, therefore, it is clear to me that we have nothing to gain and much to lose by adopting the Quebec scheme.’ (Debates P.E.I. Legislature, 1865, p. 65, *et seq.*)

The above extracts represent the attitude of both political parties in the province at that time.

The Canadian government continued desirous to round off Confederation with the addition of Prince Edward Island, but no definite progress was made until the year 1873, when that government at last conceded six members as the following correspondence shows:—

Telegram from Robert P. Haythorne to Lieutenant Governor Robinson, dated February 26, 1873.

‘Held two conferences. Increase of annual allowance. Probable yield six representatives.’

Telegram from Robert P. Haythorne to Lieutenant Governor Robinson, March 6, 1873.

‘Highly probable get six representatives; try and send reply Council as soon as possible.’

Telegram from Lieutenant Governor Robinson to Robert P. Haythorne.

‘Council will concur in advising dissolution. We hope six representatives will be conceded.’

Telegram to Hon. Edward Palmer from Robert Haythorne, March 6, 1873.

‘Except modifications stated and interest difference old debt better terms allowed. Six members conceded.’

That we were to have a minimum representation of six is made clear enough from the evidence and facts above submitted. By some oversight or mistake the memorandum embodying the terms did not in clear and unequivocal language provide for such. That, however, was the joint mistake of both contracting parties and a mutual mistake should never be held to be binding. Had there been more care shown at that time in seeing that the understanding for a minimum representation of six had been clearly placed in the agreement no one would have made the least objection. We are simply asking now that the mistake then made be corrected.

## SECOND GROUND.

The decline in the population of this province was owing in some degree to the failure of Canada to carry out its contract to place ‘the Island in continuous communication with the railway system of the Dominion.’



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Prior to Confederation, this Island had a well-established commerce directly with Great Britain, the West Indies and other lands, and had a very small proportion of its commerce with the colonies now comprised in Canada. By entering the Union the direction and control of its commerce and industrial development were delivered over to Canada; the independent lines of trade which this Island had established were diverted to Canadian channels and continuous communication with the mainland as a consequence became essential to its welfare.

*Canada defaulted on its contract.*—It is unnecessary to set forth in detail the extent of this default. It was admitted in 1901 when the Dominion agreed to pay annually to this province the sum of \$30,000 'for non-fulfilment of the terms of Union as respects the maintenance of efficient steam communication both summer and winter between the Island and the mainland.'

The utter inadequacy of this allowance need not be considered in this connection. The point is that the breach of contract was admitted by Canada.

Prior to Confederation this Island was doubling its population every 30 years; its revenues were doubling every 12 years. In 1841 its population was 47,034; in 1871—the last census before Confederation—it was 94,021. At a steadily diminishing ratio of increase it reached 109,078 in 1891 and then declined rapidly to 93,722 in 1911.

If the pre-Confederation ratio of increase had been maintained the population would now be 219,000.

In the neighbouring colony of Newfoundland in which the natural advantages were much less and where the ratio of increase had always been much lower, the population increased from 161,374 in 1874 when its census was taken, to upwards of 240,000 in 1911. Population always tends to move from disadvantage to advantage.

It is but fair to assume that the unfavourable conditions brought about in this province by the non-fulfilment of the terms of Confederation had much to do with its loss of population and it is contended that it is most unjust that this province should be penalized by Canada for Canada's default.

It is impossible to come to any other conclusion than that the draughtsman in drawing up the terms of Union overlooked the agreement that had been arrived at as to representation and neglected to use words necessary to provide for a minimum representation. It is clear that our province refused to accept the Quebec terms because that minimum of six was denied us. Is it reasonable to suppose that having refused to come in for nine years on account of the smallness of the representation which the Quebec terms offered that all these objections would vanish in 1873 and that the Island would join the Union knowing that it would only have six members for a few years.

After the census of 1891 we lost one member. After that of 1901 another, and unless this conference comes to our relief with a recommendation we will certainly lose a third as a result of the census of 1911; and in a few years our province will only have one representative in the House and eventually none at all. When this takes place an intolerable situation will arise. Taxation without representation is, under constitutional government, impossible and to this Prince Edward Island is steadily drifting. It is not the part of wisdom to wait till that day arrives. The remedy should be given and the mistake under which our province suffers should be corrected now. Delay only aggravates the situation and renders the final adjustment more difficult.

Dated at Ottawa this 27th day of October, A.D. 1913.